

JAN 19 2007

A BILL FOR AN ACT

RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that mental health
2 services in correctional facilities throughout the State of
3 Hawaii are alarmingly inadequate and have been the subject of
4 ongoing federal investigation. These inadequacies have created
5 conditions that threaten the constitutional rights of the
6 committed persons detained therein.

7 The legislature further finds that up to forty per cent of
8 the committed persons in the State's correctional facilities are
9 mentally ill. A recent federal Department of Justice study
10 found many insufficiencies including:

- 11 (1) Inadequate staffing, including a director of mental
12 health services and trained mental health
13 professionals;
- 14 (2) A lack of individualized treatment planning and
15 documentation;
- 16 (3) A confusing and inconsistent organizational structure;
- 17 (4) Outdated and unused policies and procedures; and



1 (5) An inadequate access to psychiatric hospitalization.

2 The purpose of this Act is to provide funds to the
3 department of public safety to remedy the inadequacies of mental
4 health care services to committed persons in Hawaii state
5 correctional facilities and monitor its progress.

6 SECTION 2. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$500,000, or so much
8 thereof as may be necessary for fiscal year 2007-2008, and the
9 same sum, or so much thereof as may be necessary for fiscal year
10 2008-2009, for improvements to the mental health care system of
11 committed persons in state-operated correctional facilities that
12 will address the concerns of the federal Department of Justice.

13 The sums appropriated shall be expended by the department
14 of public safety for the purposes of this Act.

15 SECTION 3. The department of public safety shall report to
16 the legislature by November 1, 2007, with a detailed mental
17 health plan that addresses the federal Department of Justice's
18 concerns.

19 SECTION 4. The department of public safety shall report to
20 the legislature not later than twenty days prior to the
21 commencement of the 2009 regular session with its achievements,
22 continuing improvements and on going problems in providing the



1 appropriate mental health care to committed persons under its
2 jurisdiction.

3 SECTION 5. This Act shall take effect on July 1, 2007.

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INTRODUCED BY: Will Syer

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Report Title:

Mental Health Issues of Committed Persons; Appropriation

Description:

Appropriates \$500,000, for each year of the fiscal biennium to the department of public safety to improve mental health services for committed persons in Hawaii prisons. Requires two reports to the legislature.

